

Fitzpatrick
37470-071706



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**JULY 17, 2006
2:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

- 1. Call to Order--Roll Call. (Vice-Mayor Trinkle and Council Member Wishneff were absent.)**

The Invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's Council meeting will be replayed on Channel 3 on Thursday, July 20, 2006, at 7:00 p.m., and Saturday, July 22, 2006, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV. CLICK ON THE SERVICE ICON, CLICK ON COUNCIL AGENDAS TO ACCESS THE APPROPRIATE AGENDA AND COUNCIL MEETING. IF ADOBE ACROBAT IS NOT AVAILABLE, A PROMPT WILL APPEAR TO DOWNLOAD PRIOR TO VIEWING AGENDA INFORMATION.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

A Resolution paying tribute to the Honorable Carl E. "Sonny" Tarpley, Jr., former Mayor of the City of Salem, Virginia, for his exemplary public service.
Adopted Resolution No. 37470-071706. (5-0)
File #80

A Resolution paying tribute to the Honorable Roger E. Hedgepeth, former Mayor of Blacksburg, Virginia, for his exemplary public service.

Adopted Resolution No. 37471-071706. (5-0)

File #80

Recognition of Summer Interns.

File #80

Proclamation declaring the month of July 2006 as Parks and Recreation Month.

File #3

**3. CONSENT AGENDA
Approved (5-0)**

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Monday, May 1, 2006, recessed until Thursday, May 4, 2006, and recessed until Thursday, May 11, 2006; and Monday, May 15, 2006.

RECOMMENDED ACTION: *Dispense with the reading of the minutes and approve as recorded.*

- C-2 Minutes of the Audit Committee meeting held on Monday, March 6, 2006.

RECOMMENDED ACTION: Received and filed.

File #300

- C-3 A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concurred in the request.

File #110-132

- C-4 A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concurred in the request.

File #132

- C-5 A Resolution adopted by the Western Virginia Water Authority expressing appreciation to Michael W. Altizer for his service as Chair and Director of the Authority.

RECOMMENDED ACTION: Received and filed.

File #468

- C-6 A communication from David C. Key, Chair, Board of Trustees, City of Roanoke Pension Plan, transmitting the 2005 Annual Report.

RECOMMENDED ACTION: Received and filed.

File #429

- C-7 Qualification of the following persons:

Sandra K. Brunk as a member of the Roanoke Arts Commission, for a term ending June 30, 2009;

Lucy R. Ellett as a member of the Roanoke Valley Greenway Commission, for a term ending June 30, 2009; and

R. Brian Townsend as the City's representative to Virginia's First Regional Industrial Facility Authority, for a term ending June 30, 2010.

RECOMMENDED ACTION: Received and filed.

File #15-110-230-379-526

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS: NONE.

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS:

- New Code Enforcement Efforts Update - 10 minutes

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of a Summer Food Program Grant from the United States Department of Agriculture Food and Nutrition Services, in the amount of \$210,400.00; and appropriation and transfer of funds.
Adopted Budget Ordinance No. 37472-071706 and Resolution No. 37473-071706. (5-0)
File #60-67-236-304
2. Acceptance of an Urban and Community Forestry Grant from the Virginia Department of Forestry, in the amount of \$14,987.00; and appropriation of funds.
Adopted Budget Ordinance No. 37474-071706 and Resolution No. 37475-071706. (5-0)
File #60-236-240
3. Appropriation of \$500,000.00 from Retained Earnings in connection with emergency procurement of engineering and construction services for the Market Garage.
Adopted Budget Ordinance No. 37476-071706. (5-0)
File #60-516

4. Authorization for acquisition and demolition of certain flood prone residential properties located within the floodplain through the Federal Emergency Management Agency Hazard Mitigation Grant Program.
Adopted Budget Ordinance No. 37477-071706 and Resolution No. 37478-071706. (5-0)
File #60-236-237
5. Execution of an amendment to the 2004-2005 CDBG/HOME Agreement with the Roanoke Redevelopment and Housing Authority.
Adopted Resolution No. 37479-071706. (5-0)
File #178-200-236
6. Authorization to procure police requested towing services.
Adopted Resolution No. 37480-071706. (5-0)
File #5

7. REPORTS OF COMMITTEES:

- a. Request of the Roanoke City School Board for appropriation of funds in connection with the Edgar A. Thurman Charitable Foundation for Children and the Algebra Readiness Summer Program; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.
Adopted Budget Ordinance No. 37481-071706. (5-0)
File #60-467
- b. Request of the Roanoke City School Board to transfer funds in connection with construction costs for Patrick Henry High School and Monterey Elementary School; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.
Adopted Budget Ordinance No. 37482-071706. (5-0)
File #60-467

8. UNFINISHED BUSINESS: NONE.
9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.
10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.

Council Member Lea commended Council Member Dowe with regard to his work with Roanoke's young people and the Youth Summit which will be held on August 3 at 3:00 p.m. at the Roanoke Civic Center.

Council Member Lea requested the support of Council and the citizens of Roanoke in connection with the 7th Annual Western Virginia Education Classic which will be held on August 31 at Liberty University.
File #80-304-467

Council Member Dowe commended *The Roanoke Times* on the success of the July 4th Music for Americans which was held at River's Edge Sports Complex; organizers of the Coventry Commonwealth Games of Virginia which were held on July 14 - 16 in the Roanoke Valley; and the opening ceremony of World Changers on July 15 at Jackson Park Middle School.
File #80-178-227-334

The Mayor introduced and the Council adopted a resolution changing the place of commencement of the joint meeting of Council and the Roanoke City School Board scheduled to be at 9:00 a.m., on Monday, August 7, 2006, from Room 159 in the Noel C. Taylor Municipal Building to the Media Center at Jackson Middle School, 1004 Montrose Avenue, S. E.
Adopted Resolution No. 37483-071706. (5-0)
File #132-467

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS:

The City Manager advised that the Mayor will present the State of the City Address on Wednesday, July 26, 2006, at 7:30 a.m., in the Cafeteria at Patrick Henry High School.

File #525

The City Manager invited the Mayor and Members of Council to view the first of the newly painted police vehicles with the black and white design, the City logo and the police shield, which will be on display in the Council's parking lot at 4:00 p.m.

File #5

CERTIFICATION OF CLOSED SESSION. (5-0)

The following persons were appointed/reappointed to boards and commissions:

Brian J. Wishneff File #15-110-326	-	Roanoke Valley-Allegheny Regional Commission for a term ending June 30, 2009.
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JoAnn Edmunds and Krista Blakeney File #15-110-304	-	Youth Services Citizen Board for terms ending May 31, 2009.
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Robert H. McAden - Parks and Recreation Advisory Board to
File #15-67-110 fill the unexpired term of Gwen W.
 Mason, resigned, ending March 31, 2007.

Carlos H. Brunal - Roanoke Public Library Board for a term
File #15-110-323 ending June 30, 2009.

THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT
7:00 P.M., IN THE CITY COUNCIL CHAMBER, ROOM 450, NOEL C. TAYLOR
MUNICIPAL BUILDING.



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**JULY 17, 2006
7:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

Call to Order -- Roll Call. (Vice-Mayor Trinkle and Council Member Wishneff were absent.)

The Invocation was delivered by Council Member Alfred T. Dowe, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

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A. PUBLIC HEARINGS:

1. Request of Dalton Place, LLC, and A & J Holdings, Inc., to permanently vacate, discontinue and close Granger Road, S. W. James R. Smith, Managing Partner, Spokesperson.
Adopted Ordinance No. 37484-071706. (5-0)
File #514
2. Request of Trustees of Metropolitan Community Church of the Blue Ridge that property located on Jamison Avenue, S. E., identified as Official Tax No. 4120113, be rezoned from RM-2, Residential Mixed Density District, to IN, Institutional District, subject to certain conditions proffered by the petitioner. Maryellen F. Goodlatte, Attorney.
Adopted Ordinance No. 37485-071706. (5-0)
File #51
3. Request of Arellano Orange, LLC, that a proffer of a site plan showing the layout and access to property located in the 2900 block of Orange Avenue, N. E., identified as Official Tax No. 7090408, and a proffer prohibiting outdoor advertising on the subject property, be repealed, and replacing such proffers with a proffer of a new site plan showing the layout and access to the subject property dated May 18, 2006. Eljio Arellano, Owner, Spokesperson.
Adopted Ordinance No. 37486-071706. (5-0)
File #51
4. Request of Western Virginia Emergency Medical Services Council, Inc., a non-profit organization, for tax exempt status of certain real property located at 1944 Peters Creek Road, N. W. Darlene L. Burcham, City Manager; and Robert H. Logan, III, Executive Director, Western Virginia Emergency Medical Services Council, Inc., Spokespersons.
Adopted Ordinance No. 37487-071706. (5-0)
File #79

5. Proposal of the City of Roanoke to convey an 11.067-acre parcel of City-owned land located at the intersection of Orange Avenue and Blue Hills Drive, N. E., to Blue Hills Village, LLC. Darlene L. Burcham, City Manager.

Inasmuch as six affirmative votes are required, action on an ordinance to convey the above referenced property was deferred until the regular meeting of Council on Monday, August 7, 2006, at 2:00 p.m.

File #166

6. Proposal of the City of Roanoke to convey a 0.2457-acre parcel of City-owned land located on Nelms Lane, N. E., to L & L Development Corporation. Darlene L. Burcham, City Manager.

Inasmuch as six affirmative votes are required, action on an ordinance to convey the above referenced property was deferred until the regular meeting of Council on Monday, August 7, 2006, at 2:00 p.m.

File #166

B. HEARING OF CITIZENS UPON PUBLIC MATTERS:

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Valerie B. Garner, Chair, Countryside Neighborhood Alliance, and John Taylor, 3527 Laurel Ridge Road, N. W., spoke with regard to the Countryside Golf Course property.

File #558

Joseph Alexx Bell, P. O. Box 2831, spoke with regard to proposed economic development activities for the City of Roanoke.

File #450